

AUG 22 2006

Application No.: 10/803,279

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Docket No.: 480062004300

REMARKS

The Office Action dated June 5, 2006 has been reviewed and the Examiner's comments considered. Claims 1-45 are pending in this application. Claims 4 and 26-45 are withdrawn from consideration as being drawn to a nonelected species. Claims 1 and 21-23 have been amended. Applicants submit that no new matter or issues have been introduced.

Claim Rejections - 35 U.S.C. § 102

Claims 1, 5, 10, 12, and 13 stand rejected under 35 U.S.C. § 102(b) as anticipated by USPN 6,099,519 to Olsen et al. Claims 1 and 17-19 stand rejected under 35 U.S.C. § 102(e) as anticipated by USPN 6,058,807 to Peters. Applicants respectfully traverse these rejections.

Independent claim 1 recites, *inter alia*, a catheter connector including "a body comprising a cannula and a tail, said cannula extending from a distal end of said body configured to receive a catheter thereon, said tail extending from a proximal end of said body configured to receive a tube thereon; and a securement device attached to said body at said distal end, comprising mating portions configured to secure said catheter to said body by locking together around said catheter following positioning of said catheter over said cannula."

Olsen et al. shows and describes a catheter sleeve connecting assembly for connection of an aspiration catheter to a suction control valve. Referring to FIGS. 1-2, a catheter 10 and sleeve 12 are connected to a suction control valve 16 by means of a tubular fitting 18 and a split collet 20 (col. 2:14-18). The catheter 10 is received in an opening 34 and the sleeve 12 is mounted over the outer surface of the proximal end of the tubular fitting 18, which is secured thereto by means of a separate collet 20 that closes and locks over the fitting 18 and sleeve 12 (col. 2:29-41).

The Examiner's support in Olsen et al. for rejection of independent claim 1 is presented, in part, as follows:

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"Olsen discloses a catheter sleeve connecting assembly comprising a body 18 having a cannula 14 and a tail 48, the cannula being sized to slidably receive a catheter and tail being sized to slidingly receive a tube." (p. 2, Office Action dated June 5, 2006).

However, contrary to the Examiner's assertion, reference numeral 14 is not a cannula, but rather is a tubular extension of the suction control valve (col. 2:16). The extension 14 appears to be connected (either permanently or temporarily) to the fitting 18, but is not shown either to be extending from the fitting or configured to receive a catheter thereon. Thus, the control valve extension 14 does not appear to be a cannula as claimed, or even an equivalent thereof, at least because there is no showing or description of the extension 14 "extending from a distal end of said body configured to receive a catheter thereon" as claimed. Therefore, it appears that Olsen et al. fails to show all of the claimed features of claim 1.

Accordingly, claim 1 is believed to be patentable over Olsen et al. for at least this reason. Claims 5, 10, 12, and 13 are also believed to be patentable over Olsen et al., because they are dependent on a patentable claim and also because they recite additional features not shown or described in Olsen et al.

Peters shows and describes a coupling for connecting a catheter or cannula to a connection tube. Referring to FIGS. 1-3, the coupling device includes a female member 1 and a male member 2 that together are configured to provide a locking connection. As stated in Peters, the female member 1 is permanently attached to a cannula tube (col. 2:26-28) and the male member is a separate one piece molding with a spigot 20 adapted to have a good friction fit in socket 11 of female member 1 (col. 2:61-63). The Examiner states that Peters discloses a body with a cannula but doesn't provide reference numerals for either. However, the claimed tail is purportedly identified by the Examiner in reference numeral 6 of Peters, which is a "finger gripping section" on the female member 1 (col. 2:29) located at the forward end of the device (i.e., closest to the body). Therefore, Peters does not appear to show or describe at least a tail "extending from a proximal end of said body configured to receive a tube thereon" as claimed.

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Also, although the Examiner purportedly finds a “cannula” in Peters (but doesn’t include a reference numeral), Applicants have not been able to identify which feature of the Peters coupling the Examiner considers to be a “cannula extending from a distal end of said body configured to receive a catheter thereon” as claimed. Rather than guessing which feature in Peters the Examiner has identified as the claimed “cannula,” Applicants respectfully request a clear identification of the reference numeral or section in Peters that purports to show and/or describe a “cannula extending from a distal end of said body configured to receive a catheter thereon.”

Further, while the Examiner purportedly finds the claimed securement device in reference numeral 30 (outer capsule or casing), there does not appear to be any showing or description of the casing 30 “configured to secure said catheter to said body by locking together around said catheter following positioning of said catheter over said cannula” as claimed. The casing 30 in Peters, differently, is configured to provide additional security and protection against infection and is applied over coupled members 1, 2 (col. 3:32-34), not a catheter. In addition, there is no showing of a cannula over which a catheter is positioned, nor a region including a catheter that the casing 30 is configured to lock together around.

Therefore, in view of the above, it appears that Peters fails to show all of the claimed features of claim 1. Accordingly, claim 1 is believed to be patentable over Peters for at least these reasons. Claims 17-19 are also believed to be patentable over Peters, because they are dependent on a patentable claim and also because they recite additional features not shown or described in Peters.

Claim Rejections - 35 U.S.C. § 103

Claims 2, 3, and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Olsen et al. in view of USPN 4,723,948 to Clark et al. Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Olsen et al. Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Olsen et al. in view of USPN 5,190,528 to Fonger et al. Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Olsen et al. in view of USPN 4,432,759 to Gross et al. Claims 14-16 and 21-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Olsen et al. in view of WO 02/058776 to Wilson et al. and further in view of US

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2003/0065288 to Brimhall et al. Claims 11 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Olsen et al. in view of EP 0 183 396 to Belloti. Applicants respectfully traverse these rejections.

Claims 2, 3, 6-9, 11, 14-16, and 20 are dependent on independent claim 1 which is believed to be patentable in view of the above; thus, these dependent claims are also believed to be patentable. Moreover, Applicants submit that none of the references (i.e., Clark et al., Fonger et al., Gross et al., Wilson et al., Brimhall et al., or Belloti) properly combined with Olsen et al. show or describe all of the claimed elements. Thus a *prima facie* case of obviousness has not been established as set forth in MPEP § 2143.03 (MPEP 8th Ed., Rev. 2, August 2005), as all of the claimed features are not taught or suggested by the prior art. Accordingly, claims 2, 3, 6-9, 11, 14-16, and 20 are believed to be patentable over the cited prior art.

As amended, independent claim 21 recites, inter alia, "a catheter connector comprising a body having a lumen therethrough and a securement device attached at two separate locations to said body at a distal end thereof." Neither Olsen et al., Wilson et al. or Brimhall et al. show, describe or suggest a catheter connector with "a securement device attached at two separate locations" to a distal end of a body. Thus, it appears that these references fail to show, either alone or in combination, all of the claimed features of claim 21. Accordingly, claim 21 is believed to be patentable over the cited prior art for at least this reason. Claims 22-25 are also believed to be patentable over the cited prior art, because they are dependent on a patentable claim and also because they recite additional features not shown or described therein.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

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In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 480062004300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 22, 2006

Respectfully submitted,

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